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2  
3 BILL NO. R-78-01- 22

4 RESOLUTION NO. R Last -

5 A RESOLUTION OF THE COMMON COUNCIL OF THE  
6 CITY OF FORT WAYNE, INDIANA CONCERNING  
7 PARTICIPATION IN CETA CONSORTIUM.

8 WHEREAS, there consists a Consortium Agreement between  
9 the City of Fort Wayne, Adams County, balance of Allen  
10 County, DeKalb County, LaGrange County, Noble County and  
11 Whitley County; and

12 WHEREAS, said geographical area contains a total popula-  
13 tion in excess of 429,000 people; and,

14 WHEREAS, the grant agreements with the Department of  
15 Labor encourage the formation of such consortiums and  
16 heretofore said consortium was the prime supporter of man-  
17 power and related programs developed under the Comprehensive  
18 Employment and Training Act of 1973 and its amendments; and,

19 WHEREAS, subject to the terms of said Consortium the  
20 City of Fort Wayne was chosen to represent the interests  
21 of the Consortium of the general local governments as set  
22 forth above in the development of manpower needs and other  
23 related programs; and,

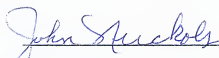
24 WHEREAS, it is required under IC 18-5-1.5-5 that no  
25 Agreement can be entered into by any local governmental unit  
26 without the prior consent and approval of the Common Council;  
27 and

28 WHEREAS, it is necessary that the City of Fort Wayne  
29 negotiate a continuation of the Consortium Agreement so  
30 that an application may be submitted by May 1, 1978 to the  
31 Secretary of Labor and thus ensure continuation of Consor-  
32 tium funds; and


33 WHEREAS, it is the desire of the Common Council of the  
34 City of Fort Wayne, Indiana, that the said Consortium  
35 Agreement as now existing be continued.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Consortium Agreement be negotiated by the City  
of Fort Wayne through its Chief Executive Officer with Adams County,  
balance of Allen County, DeKalb County, LaGrange County, Noble  
County and Whitley County, Indiana, to the end that an application  
may be submitted by May 1, 1978 to the Secretary of Labor of the  
United States and an Agreement signed for said Consortium between  
the City of Fort Wayne, Adams County, balance of Allen County,  
DeKalb County, LaGrange County, Noble County and Whitley County  
so that the existing Consortium Agreement may continue.

  
Councilman

Approved as to form and legality this 10th day of January, 1978

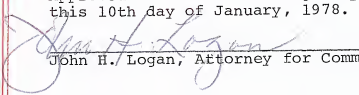
 John H. Logan, Attorney  
for Common Council

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4 OF THE CITY OF FORT WAYNE, INDIANA:

5 That the Consortium Agreement be negotiated by the City  
6 of Fort Wayne through its Chief Executive Officer with  
7 Adams County, balance of Allen County, DeKalb County,  
8 LaGrange County, Noble County and Whitley County, Indiana,  
9 to the end that an application may be submitted by May 1,  
10 1978 to the Secretary of Labor of the United States and an  
11 Agreement signed for said Consortium between the City of  
12 Fort Wayne, Adams County, balance of Allen County, DeKalb  
13 County, LaGrange County, Noble County and Whitley County  
14 so that the existing Consortium Agreement may continue.

15  
16 Donald Schmidt - Councilman      John Nuckols - Councilman  
17 Winfield Moses - Councilman      Paul Burns - Councilman  
18 Vivian Schmidt-Council Person      William T. Hinga - Councilman  
19 James S. Stier - Councilman      Fred Hunter - Councilman  
20 Samuel J. Talarico - Councilman

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34 Approved as to form and legality  
this 10th day of January, 1978.

35   
John H. Logan, Attorney for Common Council

Read the first time in full and on motion by \_\_\_\_\_, seconded by

\_\_\_\_\_, and duly adopted, read the second time by title and referred to the

Committee on \_\_\_\_\_ (and the City Plan Commission for

recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers,

City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day

of \_\_\_\_\_, 19\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_,

seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

|                    | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>7</u>    | <u>2</u>    | _____            | _____         | _____          |
| <u>BURNS</u>       | _____       | <u>X</u>    | _____            | _____         | _____          |
| <u>HINGA</u>       | <u>X</u>    | _____       | _____            | _____         | _____          |
| <u>HUNTER</u>      | <u>X</u>    | <u>X</u>    | _____            | _____         | _____          |
| <u>MOSES</u>       | <u>X</u>    | _____       | _____            | _____         | _____          |
| <u>NUCKOLS</u>     | <u>X</u>    | _____       | _____            | _____         | _____          |
| <u>SCHMIDT, D.</u> | _____       | <u>X</u>    | _____            | _____         | _____          |
| <u>SCHMIDT, V.</u> | <u>X</u>    | _____       | _____            | _____         | _____          |
| <u>STIER</u>       | <u>X</u>    | _____       | _____            | _____         | _____          |
| <u>TALARICO</u>    | <u>X</u>    | _____       | _____            | _____         | _____          |

DATE: 1-24-78

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

ATTEST: (SEAL)

Charles W. Talarico  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_

day of \_\_\_\_\_, 19\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted; read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

|                    | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>4</u>    | <u>3</u>    | <u>0</u>         | <u>2</u>      |                |
| <u>BURNS</u>       |             | <u>✓</u>    |                  |               |                |
| <u>HINGA</u>       |             |             |                  | <u>✓</u>      |                |
| <u>HUNTER</u>      |             | <u>✓</u>    |                  |               |                |
| <u>MOSES</u>       |             |             |                  | <u>✓</u>      |                |
| <u>NUCKOLS</u>     | <u>✓</u>    |             |                  |               |                |
| <u>SCHMIDT, D.</u> | <u>✓</u>    | <u>✓</u>    |                  |               |                |
| <u>SCHMIDT, V.</u> | <u>✓</u>    |             |                  |               |                |
| <u>STIER</u>       | <u>✓</u>    |             |                  |               |                |
| <u>TALARICO</u>    | <u>✓</u>    |             |                  |               |                |

DATE: 2/14/78

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

*Salario will call  
the Mayor for  
1/24/78*

Bill No. R-78-01-22

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA CONCERNING  
PARTICIPATION IN CETA CONSORTIUM

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

JOHN NUCKOLS - CHAIRMAN

PAUL M. BURNS - VICE CHAIRMAN

WINFIELD C. MOSES, JR.

DONALD J. SCHMIDT

JAMES S. STIER

*John Nuckols*

*Paul M. Burns Jr.*

*James S. Stier*

*1-24-78*  
DATE 1-24-78 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

January 24, 1978

TO THE MEMBERS OF THE COMMON COUNCIL:

I would like to reiterate my position in support of briefing Council on the local CETA program, as well as on the necessity of reorganizing the Six-county Consortium in Fort Wayne into a Consortium composed of Fort Wayne-Allen County. I am in favor of doing this even though I am under absolutely no obligation under either federal or local regulations to do so.

While I feel strongly that Council should be briefed on these functions, our primary responsibility at this time is to meet the quota sent down to this Consortium and the State on the hiring goals for Title II and Title VI. The Consortium and the State can ill-afford the losses of job positions and the federal monies allocated for these positions. Therefore, a major effort is being put forth by our Consortium to meet these goals, and Council's efforts should also be concentrated on helping to find the jobs and positions to help us meet these goals.

The quotas handed down by the Department of Labor to the Consortium and the State must be met by February 28, 1978; consequently, we will brief Council on the status of the CETA program, and the need for going to a Fort Wayne-Allen County Consortium on March 6, 1978.

We will request representation from the Department of Labor and from the Indiana Office of Manpower Development in the Governor's Office to answer questions which have to do with the status of the CETA program.



TO THE MEMBERS OF THE COMMON COUNCIL

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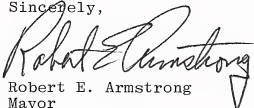
January 24, 1978

I have absolutely no intention of delaying my discussion of the CETA program with you. The facts of the situation require, however, that the entire CETA staff plays top priority on the satisfying of the Department of Labor quotas rather than preparing statistical data sheets for our discussion. We are well aware that if these quotas are not met, millions of dollars may be lost to the local CETA program.

This will work a tremendous hardship on the underprivileged, disadvantaged, and unemployed people in this community who will not be served by the CETA program. In addition, we run the risk that those who are presently employed by CETA might also lose their jobs if funding is withdrawn. I need not dwell on the terrible impact the loss of the CETA program would have on the unemployment picture in this community, nor should I have to dwell on the impact the loss of several million dollars would have on the overall economic life of the business sector in Fort Wayne.

I shall look forward to meeting with you on March 6th.

Sincerely,

A handwritten signature in cursive script, reading "Robert E. Armstrong". The signature is written in dark ink and is positioned above the printed name and title.

Robert E. Armstrong  
Mayor

REA:pl



president of common council

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

john nuckols

councilman, 1st district

2419 winch 46803

January 23, 1978

Mayor Robert Armstrong  
Mayor's Office  
City-County Building  
Fort Wayne, IN 46802

Dear Mayor Armstrong:

As Committee Chairman in charge of Resolution No. R-78-01-22, a resolution of the Common Council concerning the participation of Fort Wayne in the CETA consortium, I am urging you to appear before the Common Council on January 24, 1978, and brief the members on the position and stand you take. I hope to bring this resolution out of committee at this time and place this ordinance up for passage.

This action is taken pursuant to our telephone conversation of January 23, 1978.

Regards,

John Nuckols  
First District Councilman

JN/rh

MEMORANDUM

TO: Councilman John Nuckols

FROM: JOHN H. LOGAN

SUBJECT:

The Mayor of the City of Fort Wayne has the legal authority to enter into the Consortium Agreement under IC 18-1-1.5-2(e) and (o). However, before any contractual agreements can be entered into with any other local government unit, as was the case in this regard (Consortium Agreement between the City of Fort Wayne, Adams County, balance of Allen County, DeKalb County, LaGrange County, Noble County and Whitley County) it is necessary that compliance be had with the provisions of IC 18-5-1.5-2 and IC 18-5-1.5-3. The former, i.e. IC 18-5-1.5-2 provides the definition of local governmental unit to include a city and a county. IC 18-5-1.5-3 provides in part (b):

Any two [2] or more local governmental units may enter into written contractual agreements with one another for joint or cooperative action to provide for services and facilities pursuant to the provisions of this chapter [18-5-1.5-1 - 18-5-1.5-5]. Appropriate action by ordinance, resolution or otherwise pursuant to law controlling participating government units shall be necessary before any such agreement shall be in force.

- (d) No agreement made pursuant to the provisions of this chapter shall be entered into by any local governmental unit without the approval of the legislative body of that local government unit, provided that the Executive Body of any local governmental unit with the prior consent of the legislative body of said unit may enter into such agreement on behalf of such local governmental units.

Thus it is clear that approval by the City Council is necessary before the Mayor can enter into any agreement with any other governmental units, that is to say, with Allen County, so if Council would not give the approval to such an agreement with Allen County alone, the Mayor could not enter into such an agreement. This is important because the Mayor has seen fit on his own to withdraw from the Consortium Agreement heretofore entered into between the City of Fort Wayne and all the other counties mentioned in the Consortium Agreement, which expired

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incidentally at the end of the year 1977, and I presume they were negotiating a new one when this all came to a head.

The Comprehensive Employment and Training Act of 1973 Public Law 93-203 found in USCA Title 29-§811, et seq. §812 is the most pertinent.

Respectively,

Don H. Logan  
Atty for City Council

Dated: Jan 10, 1978

R-78-01-22.

HAVING VOTED WITH THE MAJORITY

I RESPECTFULLY REQUEST

FOR  
~~THAT~~ RE CONSIDERATION

AT THE NEXT REGULARLY

SCHEDULED COUNCIL MEETING

Edward R. Minter.